

Newark Post

MARCH 8, 2019

GREATER NEWARK'S HOMETOWN NEWSPAPER SINCE 1910

FREE

BUSINESS



Dispensary opens

Medical marijuana facility located on Ogletown Road
Pg. 6

TRANSPORTATION



Construction begins April 1

Merchants still worried about effect of Main Street project
Pg. 3

ENVIRONMENT



State issues quarantine

Newarkers urged to be on the lookout for invasive insect
Pg. 5

SPORTS

A lifetime of fitness

Walsh marks fifth decade of teaching exercise classes
Pg. 9



NEWARK POST PHOTO BY BROOKE SCHULTZ

Special Olympics weightlifter Jon Stoklosa arm wrestles a Downes Elementary School student during a "Spread the Word to End the Word" assembly on Wednesday morning.

Rallying for respect

Downes Elementary event promotes tolerance, acceptance



NEWARK POST PHOTO BY BROOKE SCHULTZ

Downes Elementary students crumple paper as part of an anti-bullying exercise.

By **BROOKE SCHULTZ**
bschultz@chespub.com

Standing among their peers in the cafeteria at Downes Elementary School, several students took a pristine, white sheet of paper and crumpled it.

"If a bully comes up to you, and says, 'You're just ugly,' what happens to you?" Hank Stoklosa, father of Special Olympian Jon Stoklosa, asked the students.

As the kids worked to unfurl the paper, Stoklosa told them, "Take your paper, try to make it look like what it was before. Does that paper look like you now? It's all crumpled. You can't undo bullying."

The activity was part of Downes'

See **WORD**
Page 10

Hotel proposal draws criticism

Planning commission deadlocks on Lang plan; council will make final decision

By **JOSH SHANNON**
jshannon@chespub.com

After two and a half hours of debate Tuesday night, the planning commission deadlocked on the controversial plan for a seven-story hotel on Main Street.

The board voted 3-3, with one member absent, on whether to recommend that city council approve the project.

However, the deadlocked vote may have little effect on the final fate of the project, because under city code, the planning commission's vote is a non-binding recommendation to city council, which has the final say over whether to approve a project.

Lang Development Group is proposing a seven-story structure containing 144 hotel rooms, a res-

See **HOTEL**
Page 15



SUBMITTED IMAGE

An artist's rendering shows the seven-story hotel Lang Development Group is proposing for 96 E. Main St.

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The week ahead

Saxophone concert: Tonight, 7 p.m., at Newark Free Library, 750 Library Ave. The Daniel Bennett Group will perform from their new album "We Are the Orchestra." The music is a mix of futuristic avant-pop, American folk and modern jazz. Free.



SUBMITTED PHOTO

The Daniel Bennett Group will perform at the Newark Free Library tonight at 7 p.m.

Women's history lecture: Saturday, 1 to 2 p.m., at Newark Free Library, 750 Library Ave. Throughout World War II, a group of fearless and committed patriots risked their lives to achieve victory in Europe. Learn about the lives and experiences of these brave women, many of whom died while completing their missions. Registration required.

Camp fair: Saturday, 9:30 a.m. to noon, at Roselle Center for the Art, 130 Amstel Avenue. The Newark Parks and Recreation Department is again partnering with the University of Delaware to hold this event. Representatives will be on hand to showcase camps throughout Newark and answer any questions. The event will highlight all of their summer camps, as well as spring/summer adult/youth programs. Registration for activities will be available on site. Activities and crafts for the kids will be available. Metered street parking is available, or park in the Center for the Arts Parking Garage.

Council meeting: Monday, 7 p.m., at city hall, 220 S. Main St. Council will discuss a North Chapel Street development project, the unruly party law, the city manager contract and changes to the city charter regarding referendum voting.

School board meeting: Tuesday, 7 to 9 p.m., at Pulaski Elementary School, 1300 Cedar Street, Wilmington. School board will vote on the operating referendum ballot, graduation requirements and the 2019-2020 calendar.



SUBMITTED IMAGE

An artist's rendering shows the nine garden apartments proposed for 20-22 Benny St.

Benny Street townhouse proposal moves forward

By JOSH SHANNON

jshannon@chespub.com

A plan to build nine student rental townhomes on Benny Street moved forward Tuesday.

After receiving a unanimous positive recommendation from the planning commission, the plan will now move on to city council for final approval.

Mico and Kristen Slijepcevic, whose family already manages several rental properties around the city, are seeking to demolish single-family homes at 20 and 22 Benny Street, which are currently being rented to students.

In their place, they would build nine four-story townhouses. Seven would have four bedrooms, and two would have six bedrooms. The plan also calls

for 20 garage parking spaces and a parking lot containing 11 more spaces.

In order for the project, called Mara's Landing, to move forward, the Slijepcevic family needs city council to rezone the .44-acre property from RD (one-family semidetached residential) to RM (garden apartment) and change the comprehensive development plan from low-density residential to high-density residential.

They are also asking for relief from numerous code requirements, including density, lot size, maximum lot coverage, setbacks and minimum open area. They also need permission to build the townhouses four stories high, which is one story more than is allowed.

The project is in an area that was once dominated by single-family homes that

gradually became student rental homes. At last count, only two of the 22 homes on Benny Street were still owner-occupied.

Recently, the city has approved plans to replace several of the homes with denser development, including 11 townhouses at 30 Benny St. and 155 S. Chapel St., seven townhouses at 36 Benny St. and a 24-unit apartment building one block over on Haines Street.

Meanwhile, city officials are working on a broader plan to rezone the entire area around Haines Street, Benny Street and South Chapel Street from mostly low-density residential to high-density residential in an attempt to concentrate development in an area that is near the university and already comprised of mostly student rentals.

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Merchants remain worried as Main Street construction looms

Project slated to begin April 1

By JOSH SHANNON
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State transportation officials are making final preparations for the Main Street reconstruction project, and downtown merchants are bracing themselves for the impact the construction could have on their businesses.

The much-discussed project is finally set to begin April 1 and is expected to be finished by June 2020, a few months earlier than initial estimates.

Officials from the Delaware Department of Transportation, city of Newark and contractor AECOM held public workshops Monday and Tuesday intended to answer questions from residents and business owners and assuage concerns about the project.

“Everyone is going to have to be patient,” DelDOT project manager Mike Beulah said. “If everyone is patient, the contractor can come in and do their work. Our goal is to get in and get out.”

The \$11.8 million project involves a full reconstruction of the roadway. The work will go beyond a simple repaving and address structural problems in the concrete below the road surface.

When joints in the decades-old concrete under the road fail, it damages the asphalt above and causes potholes. Simply repaving

the road would not fix the problem and would merely be a stopgap measure, DelDOT officials said.

One lane of traffic will remain open at all times, and the contractor will be required to maintain public access to driveways and parking lots, as well as the sidewalks on both sides of the street.

The Haines Street intersection will be closed for approximately three months in the fall, meaning motorists will not be able to turn from Main Street onto Haines or from Haines onto Main, according to Joe Hofstee, senior project manager for AECOM. Other intersections will see weekend closures.

The work will start at the beginning of Main Street – between Library Avenue and Washington Street – and also at the South College Avenue intersection. The biggest impact on motorists, pedestrians and businesses will be this fall and winter, when crews are working in the central business district between South College Avenue and Chapel Street.

Crews will also install a number of bump-outs, which are intended to make pedestrians more visible as they cross the street. Two of the bump-outs – one in front of Panera Bread and one in front of Newark United Methodist Church – will be turned into parklets. The parklets will be separated from traffic by brick pillars and metal fencing and will contain bike racks. DelDOT decided not to install benches in the parklets, but Hofstee said the city can choose to supply benches



SUBMITTED IMAGE

An artist's rendering shows the parklet planned for Main Street, in front of Panera Bread. Another one will be built in front of Newark United Methodist Church.

or partner with a nearby business to do so.

Most of the bump-outs are planned for areas where there already are no parking spaces, and officials said Main Street will actually gain a handful of parking spaces because the size of each space will be standardized.

At the height of the construction, though, the work will block 97 on-street parking spaces, roughly 56 percent of the metered spaces on Main Street and 9 percent of the total inventory of the city's pay-to-park spaces. To alleviate the problem, the city is expanding the lot behind the Main Street Galleria by the end of June and will also add metered parking on Haines Street,

Chapel Street and possibly Delaware Avenue.

In response to concerns from businesses, DelDOT officials plan monthly public meetings and weekly online updates about the project and are developing a marketing plan to remind people Main Street is still open for business during the construction.

“We don't want people to be afraid to come to Main Street,” Beulah said.

However, business owners, many of whom have been vocal in their opposition to the project, remain worried.

“Every business is concerned about the illusion that Newark will be shut down for two years,”

said Rich Hanel, owner of You've Been Framed. “I think we're all concerned people will be afraid to come downtown.”

Hanel said he plans to advertise through direct mail and on social media to remind people his store is open during the construction.

Liz Swierzbinski, manager of Delaware Running Company, also plans to reach out to customers to remind them of the importance local businesses play in the community and encourage them to patronize the shop despite the construction.

“It's going to be a hassle constantly having lane closures,” Swierzbinski said.

Joe Murray, owner of Captain Blue Hen Comics, said he plans to promote online ordering and will consider delivering orders or holding pop-up sales elsewhere if he needs to.

“My concern is we're just not going to see the people,” Murray said. “Given the length of the project, they're just going to wipe Newark out of their minds.”

Making the problem worse, he said, is that with the Downtown Newark Partnership dormant as a new organization gears up to take its place, there is no one advocating for downtown businesses.

“Main Street is definitely going to be changed, and not just aesthetically,” Murray said, hinting that some businesses won't survive the construction. “The make-up of Main Street is going to be changed.”

The Post Stumper

ANSWERS ON PAGE 15

1	2	3		4	5	6		7	8	9	10	11	
12				13				14					
15				16				17					
18				19									
20				21		22				23	24	25	26
				27	28			29	30				
31	32	33						34					
35						36		37					
38						39	40			41	42	43	44
						45				46		47	
48	49	50	51								52		
53								54			55		
56								57			58		

ACROSS

- 1 “Keep it down!”
- 4 Tax pro
- 7 Whizzes (by)
- 12 Horse chow
- 13 Owned
- 14 Emanations
- 15 Shred
- 16 Pennsylvania city
- 18 Guitar's kin
- 19 Symbol of freshness
- 20 Lancaster or Reynolds
- 22 “Blue Bloods” aier
- 23 Fly high
- 27 Flamenco cheer
- 29 Oliver Twist, for one
- 31 French composer Gabriel
- 34 Hilo hello
- 35 Snowman's nose
- 37 Links org.
- 38 Prop for Dr. House
- 39 Devilish laugh
- 41 Body powder

- 45 “I'm with you!”
- 47 Meadow
- 48 Pennsylvania city
- 52 Conditions
- 53 Boredom
- 54 Kimono sash
- 55 Packed away
- 56 “The Dapper Don”
- 57 Fixed
- 58 Snake's sound

DOWN

- 1 Bush
- 2 Japanese verse
- 3 High-strung
- 4 Sudan neighbor
- 5 Royal home
- 6 Extemporize
- 7 Madcap
- 8 “Shoo!”
- 9 Acapulco gold
- 10 Gullet
- 11 Capitol Hill VIP
- 17 Old U.S. gas brand

- 21 Baseball manager Joe
- 23 Pie-in-the-face sound
- 24 Discoverer's call
- 25 Satisfied sigh
- 26 Genetic letters
- 28 Summer sign
- 30 Cleaning cloth
- 31 TV watchdog org.
- 32 Small battery
- 33 Coffee vessel
- 36 Biblical pronoun
- 37 “Friends” role
- 40 Community spirit
- 42 Fake name
- 43 Some jabs
- 44 Attorney's load
- 45 Roman 1052
- 46 Skip
- 48 Plead
- 49 Rock's Brian
- 50 Potent stick
- 51 Shack

Small fire damages One Easton apartment

By JOSH SHANNON
jshannon@chespub.com



FILE PHOTO

A file photo shows the One Easton apartment complex at Newark Shopping Center.

Fire damaged an apartment at One Easton, the student-housing complex at Newark Shopping Center, last week.

The fire broke out in an apartment on the fourth floor of the six-story, 220-room apartment building just after 2:30 a.m. Feb. 28, according to John H. Farrell IV, a spokesman for Aetna Hose, Hook and Ladder Company.

Farrell said the building's sprinkler system contained

the damage to only one unit, however 36 apartments sustained water damage.

No one was injured. The management company is assisting the residents who were displaced, officials said.

The state fire marshal is investigating the fire's cause.

Farrell, who spearheaded passing Newark's sprinkler law when he was a city

councilman in 2001, said the incident shows the importance of sprinklers in residential buildings. Without sprinklers, it's likely the fire would have spread, caused smoke damage throughout the building and possibly led to injuries.

"None of that occurred because of one sprinkler head," he said.

Newark Police warn of suspicious man approaching women on Cleveland Avenue

By JOSH SHANNON
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Newark Police are warning residents and students to stay alert after women have reported a suspicious person trying to convince them to get into a vehicle on Cleveland Avenue.

Police received the reports on Friday and Saturday night, according to Lt. Andrew Rubin, a spokesman for the Newark Police Department.

On both nights, the women told officers that the man was stopping his SUV along Cleveland Avenue and asking women to get into the vehicle.

"In one case, the vehicle followed the women and continually asked them to get into the vehicle and then drove forward and again waited for the women to walk in his direction," Rubin said.

On Sunday, Rubin issued a warning, telling Newarkers to be aware of their surroundings, avoid walking alone and call 911 immediately to report suspicious behavior.

"We wanted to let people know what was going on before rumors spiraled out of control," he said.

Early Monday morning, police stopped the man and obtained his identity, but after speaking with him, they determined no crime was committed.

"It's not illegal to pull up next to someone and ask them a question," Rubin said.

Though repeatedly bothering the same person could be considered harassment, the man's conduct did not reach that level, he added.

The man was described only as thin, possibly in his 40s, with black hair. He was driving a black Nissan Rogue with a temporary New Jersey tag.

Council to vote on development project, unruly gathering law

City manager contract, LLC voting rights also on the agenda

By JOSH SHANNON
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A packed city council agenda on Monday includes a vote on a North Chapel Street development project, consideration of an ordinance that cracks down on unruly parties, debate over several amendments to the city charter and a possible conclusion to the Newark's lengthy search for a city manager.

The meeting is set for 7 p.m. at city hall, 220 S. Main St.

The development plan for 62 N. Chapel St. calls for constructing a four-story building containing 31 garage parking spaces on the first floor and 18 two-bedroom apartments on the floors above, plus a nine-space parking lot behind the building.

The structure would replace an existing two-story office building. Developer Hal Prettyman said he struggles to find tenants for the 46-year-old building, which is 50 percent vacant.

Prettyman is asking council to rezone the property from BL (business limited) to BB (central business district) and OK a major subdivision with site plan approval that allows the building to be closer to the road than allowed by code.

Meanwhile, the proposed unruly gathering ordinance is modeled after a similar law in Baltimore County, Md., aimed at the area around Towson University. Police in Newark began exploring the idea amidst complaints from residents of Old Newark about large parties at student rental homes in their neighborhood.

The law would create a new offense called unruly gathering, which would be triggered when police observe three or more nuisance behaviors at a residence where four or more people have gathered. Those behaviors include minors consuming alcohol, noise, disorderly premises, people on the roof, more than 150 people present without a permit, obstruction of public rights-of-way, public drunkenness, fights, criminal mischief, public urination, littering, drug use, trespassing on neighboring property and any other conduct that "threatens the health, safety, good and quiet order of the city."



SUBMITTED IMAGE

An artist's rendering shows what the proposed apartment building will look like from North Chapel Street.

Police would be able to cite those responsible for each individual offense, as well as charge the people or organization who organized the party with unruly gathering, which is a civil offense and requires a lower burden of proof than a criminal charge.

The penalty for a first offense would be a \$500 fine and 20 hours of community service, a second offense would be \$1,000 and 32 hours, a third offense would be \$1,500 and 48 hours, and a fourth offense would be \$2,000 and 60 hours.

Council will also vote on a resolution asking the state legislature to approve several changes to the city's charter.

The most notable change removes the right of corporations and LLCs to vote in a city referendum. The little-known provision drew outcry last June when several developers cast multiple votes, one for each of the LLCs they control.

Last week, open-government advocates renewed their push to change the law, and State Rep. John Kowalko personally guaranteed he would shepherd the charter change through the legislature.

Additionally, council is expected to vote on a contract for Tom Coleman, ending the city's nearly two-year search for a permanent city manager. Coleman has been serving as acting city manager since May 2017. In December, council voted to enter contract negotiations with him to take on the role on a permanent basis.

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Newark included in quarantine as state battles invasive insect

Residents, businesses required to check items for spotted lanternfly before transporting

By JOSH SHANNON

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State officials are asking residents of Newark and other parts of northern New Castle County to stay vigilant in the fight against the invasive spotted lanternfly, which is a growing threat to agriculture in Delaware.

“The impact of this pest to Delaware is large, with \$8 billion of Delaware’s economic activity related to agriculture,” Delaware Secretary of Agriculture Michael T. Scuse said. “When you look at our orchards and vineyards, nursery and landscaping industry, and forestland and timber sales, you are looking at more than \$1.9 billion alone. Delaware has a lot to lose if we do not gain control over the spotted lanternfly.”

Last week, Scuse announced a quarantine affecting zip codes 19702, 19703, 19707, 19711, 19801, 19802, 19803, 19805, 19807, 19808, and 19810.

Residents and businesses in those areas are now required to check for the insects and egg masses before transporting plant materials, construction materials, firewood and other outdoor items the insects could attach themselves to, such as tarps, snowmobiles, outdoor



SUBMITTED PHOTO

The spotted lanternfly is an invasive species.

furniture, garden tools, barbecue grills, bicycles, etc.

“The spotted lanternfly is a notorious hitchhiker,” Department of Agriculture spokeswoman Stacey Hofmann said.

Vehicles are also a concern. Hofmann encourages everyone who lives in the quarantine area to check his or her vehicle for lanternfly egg masses – which have a gray, mud-like covering –

before each trip.

“The female spotted lanternfly lays egg masses of 30 to 50 eggs wherever it chooses, especially on flat surfaces,” Hofmann said. “All other life stages of this insect from nymphs to adults can fly, hop, or drop onto a vehicle – meaning that this pest can easily be transported to new areas where it can create another infestation.”

Hofmann recommended residents scrape egg masses into a bag filled with alcohol or alcohol-based hand sanitizer and crush the eggs in order to kill them.

The eggs will begin to hatch in April, and any live lanternflies found this spring should be killed as well.

For businesses, the requirements are more stringent. Any business or

government agency that plans to move items covered under the quarantine are required to contact the Department of Agriculture to obtain a permit and be trained on proper procedures for identifying and removing the lanternfly. Intentional movement of the insects could result in civil penalties.

“We understand this quarantine will impact businesses and homeowners; however, it is required if we have any chance to control this non-native, destructive pest. With the hatching of egg masses and the presence of adult lanternflies, the population has grown and requires treatment and control efforts,” Scuse said.

Native to China, Vietnam and India, the spotted lanternfly first came to the United States in a shipment of landscaping stones that arrived in Pennsylvania in 2014, Hoffman said. Since then, they have been found in numerous locations in Pennsylvania and Maryland.

The first Delaware sighting came in Wilmington in 2017, and state officials have since found the insects in all of the zip codes included in the quarantine.

An adult spotted lanternfly is 1 inch long and a half-inch wide. The forewings are

gray with black spots, and the hind wings are red with black spots. The head and legs are black, and the abdomen is yellow with broad black bands. Immature stages are small, round, and black with white spots, and develop red patches as they grow.

The spotted lanternfly feeds through a tree’s bark using a piercing-sucking mouthpart tapped into the plant like a straw. When it feeds, it excretes a sugary water called honeydew on and around its feeding site. This encourages the growth of black sooty mold, which is not harmful to humans, but can damage plants and make outside recreation areas unusable. This sap will attract other insects to feed, notably wasps and ants.

Branch dieback, wilting and plant death is a common symptom of heavy spotted lanternfly feedings.

At risk are crops such as apples, plums, cherries, hops, grapes, peaches, nectarines, apricots and almonds. Trees including pine, oak, walnut, poplar, willow, maple and sycamore can also be affected.

For more information, visit www.de.gov/hitchhikerbug or call the dedicated spotted lanternfly hotline at 302-698-4632.

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NEWARK POST PHOTOS BY JOSH SHANNON

The dispensary room at Fresh Cannabis offers tablet computers for customers to learn about and select the product they wish to purchase.



Aaron Epstein, executive vice president of Compassionate Care Research Institute, speaks in one of the growing rooms at Fresh Cannabis.



The shelves at Fresh Cannabis are filled with a variety of accessories for sale.

Newark's first medical marijuana dispensary opens

By **BROOKE SCHULTZ**
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Fresh Cannabis, Newark's first medical marijuana dispensary, opened its doors last Friday after two years of preparation.

"The residents of Newark and its surrounding areas have been forced to travel far distances to purchase medical cannabis, and we're excited to be able to provide premium product at a much closer location," said Aaron Epstein, executive vice president for the dispensary's parent company, Compassionate Care Research Institute.

Delaware legalized medical marijuana in 2011, and the Newark dispensary is the state's fourth, joining

similar facilities in Wilmington, Smyrna and Lewes.

Fresh Cannabis offers 10 strains of cannabis, which have been growing at the facility since early last year. The business employs 15 full-time staff members and a licensed pharmacist to oversee dispensing operations.

Epstein said the dispensary will likely have 30 strains of cannabis in the next few months and also plans to sell extracts that can be used for making edibles.

When a new patient is interested in the dispensary, Epstein said the patient sits down with a counselor to go through what he called a "comprehensive education program" that covers the legality of being a can-

nabis patient in Delaware, basic terminology and safe consumption methods. The staff also does an analysis of patients' condition, symptoms and lifestyle, to ensure they're getting the strain that's best suited for them, he said.

"This is just so the patient can have an intelligent conversation with both our staff and their recommending physician," he said.

After counseling, the patients go to the dispensing area, where iPads are set up at tables. Patients can view a digital menu and place their order.

The dispensary also sells consumption devices like bongs, pipes and vaporizers, as well as hats, T-shirts and other marijuana-

themed items.

"We've seen patients that range from over 90 years old to 10 months old; patients that have been smoking and consuming cannabis for over 50 years, and people that have never tried it before in their entire life," Epstein said. "We try to make sure that our staff is prepared to deal with all kinds of patients and varied experience levels."

Fresh Cannabis is located at the former Alexander's Lawn and Garden Care at 800 Ogletown Road. The construction on the site was significant, as workers had to regulate humidity and temperature, install advanced HVAC systems, upgrade the power and implement a thorough security

system, Epstein said.

"We approach the cultivation of cannabis as a science, and the people we hire reflect that," he said.

He noted that staff members are experienced growers from the company's New Jersey operation. Those individuals have been paired with people who have plant science degrees from the University of Delaware and have experience working for agricultural companies.

The plants are grown and packaged onsite.

"I think that the products we offer within our facility reflect our dedication to the medical community, especially some of the consumption devices, such as vaporizing products and other devices that will allow the patient to avoid smoking cannabis," he said. "We maintain a strong commitment to the medical market and that's further reflected in the multiple clinical research studies that we will be participating in."

Epstein said that the business will collaborate with Children's Hospital of Philadelphia, Lake Erie College of Osteopathic Medicine and Rutgers University. He said he would like set up

research partnerships with local universities and hospitals, too.

Zoe Patchell, executive director of the Delaware Cannabis Advocacy Network – an organization that seeks to remove criminal penalties for cannabis and lobby for safe, legal and well-regulated cannabis industry – said that the addition of this dispensary is a benefit for the card holding cannabis patients.

"Cannabis is one of the safest, most therapeutic plants on the planet and it's completely non-toxic, there's no overdose risk, nor is there a risk of addiction," she said.

She said the benefits of a dispensary can extend to the community, too, citing research that shows a dispensary can reduce crime in the area due to increased surveillance of the business and that easier access to medical marijuana can even lower opioid overdoses.

"There's a significant benefit for the over 6,500 medical card holding patients that will now have an additional option, to obtain their non-toxic, laboratory-tested cannabis," she said.

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Newark man to compete in Special Olympics World Games

By **JOSH SHANNON**
jshannon@chespub.com

After 35 years participating in Special Olympics, Newark resident Andrew Crout is heading to the United Arab Emirates to represent Delaware and the United States on the world stage.

Crout, a 49-year-old tennis player, is one of three athletes from Delaware who are part of the 215-member Team USA heading to the Special Olympics World Games in Abu Dhabi, which kicks off Thursday.

The 2019 games, the first to be held in the Middle East, will involve an estimated 7,500 athletes from 192 nations competing in 24 sports: athletics, badminton, basketball, beach volleyball, bocce, bowling, cycling, equestrian, football, golf, artistic gymnastics, rhythmic gymnastics, handball, judo, kayaking, open water swimming, powerlifting, roller skating, sailing, swimming, table tennis, tennis, triathlon, and volleyball.

Crout and the other Delawareans qualified for the World Games by earning gold medals at the Special Olympics Delaware Summer Games held at the University of

Delaware athletic complex last June.

“Competing at Special Olympics World Games Abu Dhabi 2019 is my biggest award. I’m looking forward to playing against people from other countries,” Crout said.

Crout first joined Special Olympics as a teenager in the mid-1980s and, in addition to tennis, has also competed softball, basketball, bocce and bowling.

While he has traveled overseas for vacations, this will be his first time competing for Special Olympics outside the state. He is most looking forward to “seeing a new place, seeing the scenery and seeing what things are like,” he said.

Crout said he enjoys tennis because “it makes you move around” and added that Special Olympics has helped him become more social.

Crout’s father, Dick, said he and his wife Carol are thrilled for their son.

“It’s clearly the event of a lifetime for Andrew and for us,” he said. “We’re so proud of what he’s been able to accomplish in life.”

Last Friday, the three athletes from Delaware received a jubilant sendoff at Bank of America, where

Crout has worked for 25 years. The company employs nearly 200 Delawareans with intellectual disabilities as part of a program started by MBNA.

Joining Crout on the trip will be swimmer Patricia Pecora, of Dover, and bowler Edward Joyner, of Middletown. Also part of the Delaware delegation are Mary Moore, head coach of the USA tennis team, and Master Cpl. Gary Fournier, a Delaware State Police trooper who will represent the state in the torch run.

Moore, who is also the tennis coach at Ursuline Academy, is attending her 10th World Games.

“It’s great to represent your state, but to represent your entire country is surely an honor,” she said.

Crout, she said, is a valued member of the tennis team.

“He always goes above and beyond and helps other athletes as well,” Moore said. “He puts all of himself into each practice.”

Crout also shows good sportsmanship toward opponents, an important part of the Special Olympics program.

“If they make a great shot, he will make sure they know it,” Moore said.



SUBMITTED PHOTO

Newark resident Andrew Crout will play tennis in the Special Olympics World Games.



Justin Todd 1983

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Fairy Tales to Nursery Rhymes: The Droller Collection of Picture Book Art is organized by The Eric Carle Museum of Picture Book Art, Amherst, Massachusetts. This exhibition is made possible in Delaware by the Edgar A. Thronson Foundation Illustration Exhibition Fund and the Hallie Tybout Exhibition Fund. Additional support was provided, in part, by a grant from the Delaware Division of the Arts, a state agency, in partnership with the National Endowment for the Arts. The Division promotes Delaware arts events on www.DelawareScene.com. Image: “Who are you?” said the caterpillar,” 1983. Illustration for *Alice’s Adventures in Wonderland* (Victor Gollancz Ltd. 1984). Justin Todd (born 1932). Gouache on illustration board, 11 3/8 x 8 1/2 inches. Collection of Michael and Esther Droller. © 1984 Justin Todd.

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Out of the Past

Editor's note: Volunteers at the Pencader Heritage Museum have been digitizing old Newark City Council meeting minutes. They share excerpts with Newark Post readers in a weekly column.

November-December 1946: A contract to trim trees along electric lines was awarded. Clemace Valiant would receive \$25 per quarter to drive the ambulance. Excess water charges were adjusted for Leon Ryan and Pemberton Estate due to an undetected broken pipe. Duncan Parking Meter Company won the contract to install 120 multiple-coin meters in town. William Swan earned \$200 for assessing the tax base of 1946.

A police officer was ordered on Main Street in front of the banks between noon and 1 p.m. on Wednesdays. George Martin was given a permit, with restrictions, to build an addition to his show room on East Main Street. Alexander Richards was granted permit for a dairy products building and would be permitted to sell milk. A city truck was extensively damaged, and a request went to insurance underwriter for repairs. Town police were instructed to enforce all

laws governing games of chance and gambling.

January-February 1947: Cash on hand was \$22,533. Council agreed to rescind authorization for parking meters after protests from the chamber of commerce and would increase advertising of municipal parking lot. Diamond Ice & Coal Company was told to raze a vacant frame building on Haines Street because it was a fire hazard.

Council was trying to get Pennsylvania Railroad to provide 24-hour protection at the South Chapel Crossing. Authorization was given to install two-way radio in police car which would be used in conjunction with Delaware State Police. Grover Surratt received permission to build an addition to Powell's Restaurant in alley between 41 & 43 E. Main St.

See the original minutes at Pencader Heritage Museum, 2029 Sunset Lake Road. (Rt. 72 south of Newark.) Regularly open first and third Saturdays, 10 a.m. to 4 p.m. Other times by appointment. Contact the website pencaderheritage.org or call 302-737-5792 for an appointment. Family friendly, handicapped accessible and always free.

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NCCL student honored for his interest in combating invasive species

By **BROOKE SCHULTZ**
bschultz@chespub.com

When Newark Center for Creative Learning sixth-grader Carlos Lobo decided to donate money to the Delaware Invasive Species Council, he wasn't anticipating the ripple effect that would bring state and environmental officials to his school to honor him.

"I had no idea anything close to this would happen," he said.

Lobo first became interested in invasive species — which are any living organism not native to an ecosystem that causes harm to that ecosystem — after learning about the Burmese python, which is an invasive species in Florida.

During a class assignment in which students in fifth and sixth grade were tasked with publishing a student newspaper, he looked more into the issue. In his reporting, he interviewed a local farmer who spends time cutting down invasive plants.

"I used to play out in the woods and go to White Clay a lot and skip stones, do that kind of stuff. And when I heard about that there were bad things about the environment, I just got really upset and wanted to help," he said.

He added that he decided to donate money to the Delaware Invasive Species Council (DISC) by purchasing a membership



SUBMITTED IMAGE

State Sen. Stephanie Hansen presents Carlos Lobo, a sixth-grade student at Newark Center for Creative Learning, with a senate tribute for his donation for the Delaware Invasive Species Council.

to the organization rather than buying himself something because "getting stuff doesn't really help anybody."

"I wasn't going to use [the money] anyway," he said. "I might use public spaces, though, that have less invasive species in them, so that's why I donated it."

That donation caught the interest of DISC members, who noticed the line item at their annual meeting when they were reviewing their budget.

State Sen. Stephanie Hansen, a Newark-area legislator and environmental lawyer who has championed efforts to combat invasive species, was at that annual meeting to present on native species loss in the First

State and was blown away by the sixth-grader's donation.

She, along with officials from the Department of Natural Resources and Environmental Control, decided to formally thank Lobo for his support and surprised him at school last month.

While Lobo didn't donate with the idea that he would later be publicly recognized, he noted that it's important for people to get involved in initiatives they care about.

"People around my age are the future, really. They're going to be the people who vote, and it's just important that we know that there's stuff like this," he said, adding, "There's

really nothing to lose by donating."

NCCL teacher Colin Adams-Toomey said that Lobo's care for his community encapsulates what NCCL strives to do.

"One of the things we really, really try to help the kids understand is that, first, they're part of a community. They're part of a community here at our school, but they're also part of a larger community, the town around them, the state around them and so forth," he said. "They have a role in making that community better, but also they have that power. Just because they are kids or students doesn't mean that they're powerless."

"It really is a perfect example of that kind of power — that Carlos made this decision, he decided that this is something that needed to be changed. He went out and did something about it. And it has had an effect; it had a long-term effect," Adams-Toomey continued.

In the visit to NCCL, Marcia Fox, chair of the Delaware Invasive Species Council, brought Lobo his membership card, as well as an assortment of educational materials to share with his classmates.

"It was an honor to recognize this young man for his support of the Delaware Invasive Species Council," she said in a written statement. "Carlos joins botanists, biologists and land managers across the state in our fight against invasive species. He is a great example for other students of what they can accomplish when they decide to make a difference in their communities."

Hansen also read a senate resolution honoring Lobo.

"I have spent the better part of two years studying native species loss with the Ecological Extinction Task Force and Delaware Native Species Commission," Hansen said in a written statement. "To meet a young student who is so passionate and so informed on this issue is refreshing and rewarding — it gives me hope that our younger generations will step up in ways that the rest of us have struggled to."

Lobo said he would like to continue to donate at least \$20 each year and plans to combat the invasive species in his own backyard.

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Carole Walsh marks 5 decades as Newark Parks and Recreation fitness instructor

By JON BUZBY

JonBuzby@hotmail.com

Carole Walsh started teaching fitness classes for the Newark Parks and Recreation Department five decades ago.

The year was 1968 or 1969 – so long ago she can't even remember – when Walsh attended a “mom and baby” exercise class with her 2-year-old and a separate adult fitness class by herself, both offered by the local YMCA.

A few years later, the same instructor had a full workload teaching at the YMCA and for Newark Parks and Recreation, and asked Walsh if she'd be interested in taking over one of the classes. Walsh agreed to teach the one offered by Newark Parks and Recreation, and, as they say, the rest is history.

Walsh said “yes” despite having no formal training in teaching fitness classes. Over the next few summers, she took workshops to gain the skills necessary to of-

fer an effective and safe exercise program. From that foundation, she began building the foundation for what would become the format of her class.

“It's all about the music,” she explained. “I use old standards, classic rock and roll, some country and my favorite singer-songwriters. Recognizable music with a steady, uncomplicated beat.”

Walsh's typical class begins with a low-impact warmup designed to get the body moving and the muscles ready to work. The rest of the first half of the class consists of using hand weights to improve arm and upper body strength, followed by floor exercises using body weight as resistance to strengthen the core muscles, hips and thighs. The second half of the hour-long class is spent getting heart rates up through simple dance steps and moving around the room. The class then “cools down” with exercises to improve balance and stretch.

Walsh taught seven class-

es a week at a few different locations in the early 1980s before scaling back to four in the 1990s. Since her husband's retirement in 1993, she has taught the Tuesday and Thursday morning classes at the George Wilson Center.

“I love doing what I do,” Walsh said. “It's very rewarding to receive positive feedback from class members who make coming to the class a priority. And, of course, it's good for me, too.”

Teaching in front of a group of people wasn't new to Walsh. A native of Cleveland and a graduate of Penn State University, Walsh taught English and French at a junior and senior high school in State College, Pa. She moved with her husband, Bill, to Delaware in 1963 and less than 10 years later started teaching the fitness classes and creating memories with a new set of students.

Walsh's classes also led to the creation of a walking club.

“Since I didn't have classes

in the summer, for several years, many class members joined me for a weekly hike in White Clay Creek State Park,” she recalled. “This little group now calls themselves the ‘Newark-Elkton Walkie Talkies,’ and their leader has an email list of over 100 individuals. A varying-sized group joins her daily for a 3-mile hike. I am thrilled that the seed I planted has grown so well.”

Walsh's hiking experiences have grown as well, expanding well beyond the local parks. For the past 25 year, Walsh and her husband have spent four to six weeks each summer or fall hiking the trails in Rocky Mountain National Park.

“We consider it our second home,” she said.

Walsh has two children and four grandchildren and when she isn't spending time with them or teaching fitness classes, she volunteers for the state park and a number of environmental organizations. She has been an active member of the League of Women Voters at both the



PHOTO COURTESY OF CHRISSEY HOLUBINKA

Carole Walsh, left, has been teaching fitness classes for Newark Parks and Recreation for more than 45 years.

local and state levels since 1968 and has served as the moderator for forums for candidates for mayor and city council for the past several years. Her work in the community recently earned her the Jefferson Award for community service.

“It was truly an honor and I was very surprised,” she said of the recognition. “When the mayor contacted me, I immediately thought of several others in the Newark community who deserved the award much more than I did. Teaching fitness classes for the city for these many years has been my pleasure.”

Paula Martinson Ennis, deputy director of Newark Parks and Recreation, was among those who provided written support for Walsh's nomination.

“Carole has played a huge part in our fitness programming for the department,” Martinson Ennis said. “Not only by instructing the longest-running class for over 45 years but also helping to define how important fitness is for the community. We are truly thankful for her.”

Walsh recently celebrated her 80th birthday with, not surprisingly, her fitness class.

“They told me I'd need to wait until I turn 85 for another party,” she joked. “Every time I mention to the class that this might be my last year, someone says, ‘You can't retire, we'll fall apart.’”

All jokes aside, Walsh has no plans to hang up her exercise shoes anytime soon.

“I'll quit when it is no longer fun or when my body gives out on me,” she said.

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WORD

From
Page 1

Spread the Word to End the Word assembly, which is part of a national effort to eliminate the derogatory use of the word "retarded." It also raises awareness of people with different abilities and encourages respect for all.

Jon Stoklosa and Torie Moore, both Christina School District alumni, told the students about themselves to show that they all have a lot in common.

"I am a Special Olympics champion, but first, I am a sister and a daughter," Moore told the students. "I am your neighbor. I have two jobs. I have lots of friends. All these things are what I wanted when I was growing up. They are probably the same things you want."

Hank Stoklosa noted that his son had a strong group of friends – 15 teammates on the Newark High wrestling team – who looked out for him at school.

However, Brian Truitt, another Special Olympics athlete, said he faced bullying from his peers throughout his education.

"School was hard for me," he said. "High school was even worse. So I stopped trying to make friends and became very angry and frustrated with everyone around me."

That's when he met Delaware State Police Captain Daniel Hall, who was once called to the school after a fight broke out involving Truitt.

"Brian had a terrible, terrible and, let me say, terrible temper. But it didn't take long for me to see that Brian was a victim of bullying," Hall said. "I'd never seen anyone so personally tortured, and it killed me inside to see someone treated this way....As I got to know Brian, I could see what a great person he was and that he



NEWARK POST PHOTO BY BROOKE SCHULTZ

Special Olympics weightlifter Jon Stoklosa arm wrestles State Sen. Dave Sokola as Downes Elementary School students look on.

had a big heart."

Truitt, Moore and Jon Stoklosa all became involved with Special Olympics, and have seen a lot of athletic success through their careers. All have competed in a variety of sports and have earned accolades for their athletic skills. They cited their involvement in Special Olympics as a particularly powerful part of their life.

"Special Olympics offered Brian the community he never had in school – friendship, tolerance, understanding, sports and, most importantly, a sense of belonging

and acceptance for who he is," Hall said. "For the past 19 years, I can personally say I have a true best friend in Brian, and what we were able to accomplish together was one of the most important achievements of my law enforcement career."

The group encouraged the students at Downes to treat all their peers with respect and kindness.

Moore noted that by competing in the Special Olympics World Games, she had the opportunity to meet athletes from all over the world.

"I met different athletes from around the world, like China, Canada and Germany. We ate different foods, we danced to different music and spoke different languages," she said. "And different is all good."

Hank Stoklosa called on the students to choose their words with care.

"Sometimes Jon gets called nasty words. They hurt, they sting him," he said. "The only word we should have for Jon is respect, right? That's the whole theme of today, to build respect. And he has

earned that word."

A champion powerlifter, Jon Stoklosa certainly earned respect among the students as they – and school and state officials – lined up to arm wrestle him during a crowd-pleasing segment.

After the speakers told their stories, the students joined together to sing their pledge of use the new "R-word" – respect.

"We all have strengths and we all have weaknesses. But it is our job to take our strengths and help others be stronger," Principal Anne Park told the students.

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LEGAL NOTICE
RE: DEADLY WEAPON
I, David Ramirez, residing at 107 Willow Oak Blvd., Bear, DE 19701, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.

David Ramirez
2/28/19
2837186

np 3/8

LEGAL NOTICE
RE: DEADLY WEAPON
I, Debora J. Skinner, residing at 8 Greenfield Court, Newark, DE 19713, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.

Debora J. Skinner
3/1/19
2837546

np 3/8

CITY OF NEWARK DELAWARE PUBLIC HEARING NOTICE
March 25, 2019 – 7:00 P.M.

Pursuant to Chapter 32, Zoning, Sections 32-78 and 32-18(b)(13) Code of the City of Newark, Delaware, notice is hereby given of a public hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 25, 2019 at 7:00 P.M. to consider the request of CDA Engineering, Inc. for a Special Use Permit for 306 apartment units as part of the proposed major subdivision plan at the property located at 100, 115, and 121 College Square Shopping Center.

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City Secretary

np 3/8 2837728

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RE: DEADLY WEAPON
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David Allen Goerlitz
2/28/19
2836987

np 3/8

LEGAL NOTICE
RE: DEADLY WEAPON
I, Moneak Baskerville, residing at 3 N. Redspire Court, Newark, DE 19702, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.

Moneak Baskerville
2/20/19
2835582

np 3/8

CITY OF NEWARK DELAWARE PUBLIC HEARING NOTICE
March 25, 2019 – 7:00 P.M.

Pursuant to Chapter 32, Zoning, Sections 32-78 and 32-18(b)(4) Code of the City of Newark, Delaware, notice is hereby given of a public hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 25, 2019 at 7:00 P.M. to consider the request of Lang Development Group for a Special Use Permit for a 144-room hotel, in the BB zoning district at the property located at 92, 94, and 96 East Main Street.

ZONING CLASSIFICATION – BB (Central Business District)

Renee K. Bensley, CMC
City Secretary

np 3/8 2837731

CITY OF NEWARK DELAWARE CITY COUNCIL PUBLIC HEARING NOTICE
March 25, 2019 - 7:00 P.M.

Pursuant to Sections 402.2 and 902.2 of the City Charter of the City of Newark, Delaware and Section 32-79 of the Code of the City of Newark, Delaware, notice is hereby given of a public hearing at a regular meeting of the Council in the Council Chamber at the Municipal Building, 220 South Main Street, Newark, Delaware, on Monday, March 25, 2019 at 7:00 p.m., at which time the Council will consider for Second Reading and Final Passage the following proposed Ordinances:

- Bill 19-07 An Ordinance Amending the Comprehensive Development Plan By Changing the Designation of Property Located at 924 Barksdale Road
- Bill 19-08 An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BL (Business Limited) to AC (Adult Community) 6.95 Acres Located at 924 Barksdale Road
- Bill 19-09 An Ordinance Amending the Comprehensive Development Plan By Changing the Designation of Property Located at 100, 115, 121 College Square

Renee K. Bensley, CMC
City Secretary

np 3/8 2837721

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
IN RE: CHANGE OF NAME OF NICOLE WARAU
Petitioner(s)
TO
NICOLE WARAU MOMANYI
NOTICE IS HEREBY GIVEN that JOSEPH C. MOMANYI intends to present a Petition to the Court of Common Pleas for the State of Delaware in and for New Castle County, to change her minor child's name to NICOLE WARAU MOMANYI.

JOSEPH C. MOMANYI
Petitioner
Dated: 2/15/2019
2834840

np 2/22,3/1,8

CITY OF NEWARK DELAWARE PUBLIC HEARING NOTICE
March 25, 2019 – 7:00 P.M.

Pursuant to Chapter 27-21(b)(2)(e) of the City of Newark Subdivision and Development Regulations, notice is hereby given of a Public Hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 25, 2019, at 7:00 p.m., at which time the Council will consider the request of The Kercher Group, Inc. on behalf of Columbia Pacific Real Estate Fund III, LP for the major subdivision of 6.95+/- acres located at 924 Barksdale Road, to construct a 115-suite/137-bed Assisted Living and Memory Care Facility.

ZONING CLASSIFICATION – AC (Adult Community).

Renee K. Bensley, CMC
City Secretary

np 3/8 2837723

CITY OF NEWARK DELAWARE PUBLIC HEARING NOTICE
March 25, 2019 – 7:00 P.M.

Pursuant to Chapter 27-21(b)(2)(e) of the City of Newark Subdivision and Development Regulations, notice is hereby given of a Public Hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 25, 2019, at 7:00 p.m., at which time the Council will consider the request of CDA Engineering, Inc. for the major subdivision of 46.18 +/- acres of property at 100, 115, and 121 College Square Shopping Center, for the approval of plans to demolish 106,009 +/- SF of existing shopping center, construct 57,800+/- SF of new shopping center buildings, and construct two apartment buildings with 306 apartment units.

ZONING CLASSIFICATION – BB (Central Business District)

Renee K. Bensley, CMC
City Secretary

np 3/8 2837726

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA
March 11, 2019 – 5:45 P.M. – CC**

There may be a vote on each and every agenda item set forth herein.

MOTION TO ENTER EXECUTIVE SESSION

EXECUTIVE SESSIONS

- A. Executive Session pursuant to 29 Del. C. §10004 (b) (1), (6) and (9) for the purpose of discussing an individual citizen's qualifications to hold a job, discussion of the content of documents excluded from the definition of public record in §10002 of this title where such discussion may disclose the contents of such documents and personnel matters in which the names, competency and abilities of individual employees are discussed
- B. Executive Session pursuant to 29 Del. C. §10004 (b) (4) and (6) for the purpose of a strategy session with respect to collective bargaining when an open meeting would have an adverse effect on the bargaining position of the public body and discussion of the content of documents excluded from the definition of public record in §10002 of this title where such discussion may disclose the contents of such documents
- C. Executive Session pursuant to 29 Del. C. §10004 (b) (4) and (9) for the purposes of a strategy session, including those involving legal advice or opinion from an attorney-at-law, with respect to pending or potential litigation, but only when an open meeting would have an adverse effect on the litigation position of the public body and discussing personnel matters in which the names, competency and abilities of individual employees are discussed.

(Executive Sessions to conclude at 7:00 p.m. with Council meeting to resume immediately after. Council may continue Executive Session after the conclusion of the agenda of the regular business meeting.)

RETURN TO PUBLIC SESSION

- A. Potential Votes Regarding City Manager Contract
- B. Potential Votes Regarding Expenses Related to an Employee On-The-Job Injury Case

SILENT MEDITATION & PLEDGE OF ALLEGIANCE

- *1. **PUBLIC PRESENTATIONS (15 minute limit):** None
- 2. **ITEMS NOT ON PUBLISHED AGENDA:**
 - A. Elected Officials who represent City of Newark residents or utility customers
 - B. University
 - (1) Administration (5 minutes per speaker)
 - (2) Student Body Representative(s) (5 minutes per speaker)
 - C. City Manager
 - D. Council Members
 - E. Public (3 minutes per speaker)
- 3. **APPROVAL OF CONSENT AGENDA:**
 - A. Approval of Council Minutes – February 25, 2019
 - B. Receipt of Planning Commission Minutes – February 5, 2019
- 4. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None
- *5. **APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:**
 - A. Reappointment of Sydney Goldberg to the At-Large Position on the Election Board for a Three-Year Term to Expire January 15, 2022
 - B. Appointment of Mary Clare Matsumoto to the District 6 Position on the Conservation Advisory Commission for a Three-Year Term to Expire March 15, 2022
 - C. Reappointment of Theodore R. Elder, Jr. to an At-Large Position on the Community Development Revenue Sharing Advisory Commission for a Three-Year Term to Expire March 15, 2022
 - D. Appointment of Helga Huntley to the District 1 Position on the Conservation Advisory Commission for a Three-Year Term to Expire March 15, 2022
- *6. **SPECIAL DEPARTMENTAL REPORTS:**
 - A. General Assembly Update and Associated Requests for Council Direction – Lobbyist
 - B. Year-End Pension/OPEB Report – Finance Director/Vanguard
 - C. 2019-2020 Insurance Renewals – Finance Director
 - D. 2019 Revenue Stabilization Adjustment – Finance Director
 - E. Update on Status and Membership of Rental Housing and Transportation Improvement District Subcommittees – Planning and Development Director
 - F. **Resolution No. 19-__:** A Resolution to Request Amendments to the Newark City Charter, Being Chapter 152 of Volume 48, Laws of Delaware, By Removing Corporations as Eligible Referendum Voters, Updating Items Related to Meetings of Council and Elections to Comply with State Code, Updating the Qualifications for City Manager, Reducing the Redemption Period for Tax Sales and Making a Technical Correction
- *7. **RECOMMENDATIONS ON CONTRACTS & BIDS:**
 - A. Recommendation to Award Contract No. 19-03 – Water Treatment Plant Chemicals
 - B. Recommendation to Waive Bid Requirements to Purchase Eleven (11) 12kV Solid Dielectric Reclosers
 - C. Recommendation to Waive Bid Requirements to Purchase One Aerial Lift Truck from Beltway International, LLC in Association with the National Joint Powers Alliance
 - D. Recommendation to Waive Bid Requirements to Utilize State of Delaware and NJPA/Sourcwell Contracts for the Purchase of Replacement Equipment
- *8. **FINANCIAL STATEMENT:** (Ending December 31, 2018)
- *9. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**
 - A. **Bill 19-01** – An Ordinance Amending the Zoning Map of the City of Newark, Delaware, By Rezoning from BL (Business Limited) to BB (Central Business District) 0.471 Acres Located at 62 North Chapel Street (**See Items 10-A and 10-B**)
 - B. **Bill 19-03** – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Amending Management Positions, Titles and Pay Grades Related to Communications and Human Resources
 - C. **Bill 19-04** – An Ordinance Amending Chapter 20, Motor Vehicles, Code of the City of Newark, Delaware, By Permitting Right Turn on Red Traffic Signal from East Cleveland Avenue to Capital Trail and Removing References to the Chrysler Facility
 - D. **Bill 19-05** – An Ordinance Amending Chapter 22, Police Offenses, Code of the City of Newark, Delaware, By Creating a Civil Violation for Unruly Social Gatherings
 - E. **Bill 19-06** – An Ordinance Amending Chapter 31, Weapons, Code of the City of Newark, Delaware, By Amending the Code Sections Regarding Switchblades to Comply with Delaware Code
- *10. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT:**
 - A. Request of Chapel North, LLC for the Major Subdivision with Site Plan Approval of 0.471 Acres in Order to Demolish the Existing Structure and Construct One Four-Story Apartment Building with Parking on the First Floor and 18 Two-Bedroom Apartments on the Remaining Floors at the Property Located at 62 North Chapel Street (**Agreement and Resolution Attached**) (**See Items 9-A and 10-B**)
 - B. Request of Chapel North, LLC for a Special Use Permit for 18 Apartments in the BB Zone at the Property Located at 62 North Chapel Street (**See Items 9-A and 10-A**)
- *11. **ITEMS SUBMITTED FOR PUBLISHED AGENDA:**
 - A. **Council Members:** None
 - B. **Others:** None

*OPEN FOR PUBLIC COMMENT

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
IN RE: CHANGE OF NAME OF
LAURA ELIZABETH HUGHES
Petitioner(s)
TO
RYAN ELIZABETH HUGHES
NOTICE IS HEREBY GIVEN that LAURA ELIZABETH HUGHES intends to present a Petition to the Court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to RYAN ELIZABETH HUGHES.
LAURA ELIZABETH HUGHES
Petitioner
Dated: 1/27/2019
2835110
np 2/22,3/1,8

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
IN RE: CHANGE OF NAME OF
MARCELLOUS SHAWN HARRIS
Petitioner(s)
TO
MARCELLOUS SHAWN JOYNER
NOTICE IS HEREBY GIVEN that ANGELA JOYNER intends to present a Petition to the Court of Common Pleas for the State of Delaware in and for New Castle County, to change her minor child's name to MARCELLOUS SHAWN JOYNER.
ANGELA JOYNER
Petitioner
Dated: 2/13/2019
2834449
np 2/22,3/1,8

**PUBLIC AUCTION
SENTINEL SELF STORAGE**

**465 Pulaski Hwy
New Castle, DE 19720
(302) 328-5810**

A Public Auction will be held on Thursday, April 11th, 2019 at 11:00 AM. The contents of the following storage units will be auctioned:
Unit #6009 - Kendra White - Dining Table and Chairs, End Tables, Assorted Household Items
Unit #5108 - Aisha Kabba - Bed, Couch, Dresser, Love Seat, Mirrors, End Table
Unit #7010 - Raymond Grayson Jr. - Boxes, Computers, Dryer, Washer, Exercise Equipment, Ladder, End Table, Tool Boxes, Totes, Floor Buffer, Snow Blower, Shop-vac, Car Jacks, Gardening Tools, Assorted Household Items, fireplace Tools
Unit #4104 - Ben Parker - Bags, Boxes, Chest of Drawers, Computer, Microwave, Pictures, Shelving, Totes, Leather Chair, Metal Cabinet On Wheels

**1100 Elkton Road
Newark, DE 19711
(302) 731-8108**

A Public Auction will be held on Wednesday, 4/10/19 at 12:00 pm. All sales are cash only. The contents of the following storage units will be auctioned:
Unit #2201 - Marlene J Sitepu - boxes, totes, space heater, exercise equipment, mic. Items
Unit #6053 - Robert W Degroat - air conditioners, mattress, boxes, kitchen chairs, rocking chair, dresser, patio table, totes, misc. household items
Unit #8061 - Richard Lazeration - bags, boxes, totes, misc. items

**200 First State Blvd
Wilmington, DE 19804
(302) 999-0704**

A Public Auction will be held on Wednesday, April 10, 2019 at 1:00pm. The contents of the following storage units will be auctioned:
Unit #322 - Stacy McCarthy - bags, box spring, boxes, kitchen chair, end table, baby car seat
Unit #1130 - Faith Smith - boxes, end table, totes, clothesline, shovels, portable heater
Unit #1406 - Edward Proffitt - bags, hamper, totes, buckets
Unit #6225 - Thomas Paul Houghton - bags, bed frame, clothing, ice chests, totes
Unit #9286 - Monique Everett - air conditioner, bags, headboard, mattress, couch, pictures, totes

**333 E. Lea Blvd.,
Wilmington, DE 19802
(302) 764-6300**

A Public Auction will be held on Wednesday, April 10, 2019 at 2:00 PM. The contents of the following storage units will be auctioned:
Unit #326 - Rasian S. Knight - Boxes, (2) beach chairs, clothing, exercise equipment, hamper, floor lamp, Shelving, totes, crutches.
Unit #196 - Gail Stallings Minor - Bags, boxes, beach chair, (2) kitchen chairs, entertainment center, hamper, end table, totes, (2) portable TV's, outside table and chairs, buffet.
Unit #209 - Shirley Walters - Boxes, fan, (3) suitcases, totes.
Unit #308 - Ralph Bradley - Box spring, mattress, boxes, clothing, computer, desk, ironing board, floor lamp, shelving, (2) big screen TV's, heater, walker.

**141 Edgemoor Rd.
Wilmington, DE 19809
(302) 762-3626**

A Public Auction will be held on Wednesday, April 10th, 2019 at 3:00 PM. Sales are "cash only". The contents of the following storage units will be auctioned:
Unit #358 - Lynne Morrison - Boxes, chair, chest of drawers, dresser, coffee table, wheelchair, curio cabinet

LEGAL NOTICE
RE: DEADLY WEAPON
I, Lavinia E. Horky, residing at 8 Greenfield Court, Newark, DE 19713, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Lavinia E. Horky
3/1/19
np 3/8 2837552

LEGAL NOTICE
RE: DEADLY WEAPON
I, Harry Alexander Stewart, residing at 561 Oakdale Road, Apt. C, Newark, DE 19713, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Harry Alexander Stewart
3/2/19
np 3/8 2837554

LEGAL NOTICE
RE: DEADLY WEAPON
I, Justin Maxon, residing at 3 Coolidge Ct., Newark, DE 19702, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Justin Maxon
3/3/19
np 3/8 2837556

LEGAL NOTICE
RE: DEADLY WEAPON
I, Patrick Michael Foss, residing at 658 Lockhaven Ct., Newark, DE 19702, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Patrick Michael Foss
3/4/19
np 3/8 2837590

LEGAL NOTICE
RE: DEADLY WEAPON
I, Tyler Joseph Cavanaugh, residing at 734 Manfield Road, Newark, DE 19713, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Tyler Joseph Cavanaugh
3/4/19
np 3/8 2837656

LEGAL NOTICE
RE: DEADLY WEAPON
I, Paul William Marshall, residing at 51 Augusta Dr., Newark, DE 19713, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Paul William Marshall
3/6/19
np 3/8 2837902



LEGAL NOTICE
RE: DEADLY WEAPON
I, Daniel Jacob Goerlitz, residing at 14 Gogh Cir., Newark, DE 19702, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Daniel Jacob Goerlitz
2/28/19
np 3/8 2836985

Adoptions
Unplanned pregnancy? We could help each other.
Maryland couple unable to have children can provide a loving home. Willing to pay adoption-related medical and legal expenses.
Contact Harriet at 410-205-0757 or ahadoption@yahoo.com

LEGAL NOTICE
RE: DEADLY WEAPON
I, John Anthony Courtright, residing at 240 Possum Park Road, Newark, DE 19711, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
John Anthony Courtright
2/27/19
np 3/8 2836698

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Yard Sales on nearly every corner, find out which ones in the Classifieds

LEGAL NOTICE
RE: DEADLY WEAPON
I, Scott Gilbert, residing at 203 Skeet Circle West, Bear, DE 19701, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Scott Gilbert
2/28/19
np 3/8 2837139

Help Wanted Full Time
Pediatric Hospitalists (Dover/Newark/Milford, DE) sought by Christiana Care Health Services, Inc. Provide direct professional medical care to pediatric patients at Bayhealth Kent General, Bayhealth Milford Memorial, & Christiana Hospitals. Shift may incl weekday overnights as needed. Drug screen / background check. Reqs DE Medical License eligibility, 3 yr residency in Pediatric medicine & PALS, ACLS, & NRP certifications.
Email CV to
ABird@ChristianaCare.org

TAG YOUR AUTO FOR SALE IN OUR CLASSIFIEDS

TECHNOLOGY
Oracle SOA Architect(s) in Newark, DE to rsrch, dsng & dvp systems-lvl sw for clean enrgy co. Resume to HR, Job #91, Bloom Energy Corporation, 4353 N 1st St, San Jose, CA 95134

LEGAL NOTICE
RE: DEADLY WEAPON
I, Kathleen Marie Warne, residing at 2126 Old Kirkwood Road, Bear, DE 19701, will make application to the judges of the Superior Court of the State of Delaware in and for New Castle County at Wilmington for the next term for a license to carry a concealed deadly weapon, or weapons for the protection of my person(s), or property, or both.
Kathleen Marie Warne
2/28/19
np 3/8 2837144

THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE IN AND FOR NEW CASTLE COUNTY
IN RE: CHANGE OF NAME OF
MARCUS ALLEN MORGAN
Petitioner(s)
TO
AZARIEL BEN ISRAEL
NOTICE IS HEREBY GIVEN that MARCUS ALLEN MORGAN intends to present a Petition to the Court of Common Pleas for the State of Delaware in and for New Castle County, to change his/her name to AZARIEL BEN ISRAEL.
MARCUS ALLEN MORGAN
Petitioner
Dated: 2/11/2019
2834152
np 2/22,3/1,8

Wilmington Brew Works has on February 25, 2019 applied with the Alcoholic Beverage Control Commissioner for a Permanent Extension of Premise and a Patio Permit for a premises located at 3129 Miller Rd. Wilmington, Delaware, 19802. Persons who are against this application should provide written notice of their objections to the Commissioner. For the Commissioner to be required to hold a hearing to consider additional input from persons against this application, the Commissioner must receive one or more documents containing a total of at least 10 signatures of residents of property owners located within 1 mile of the premises or in any incorporated areas located within 1 mile of the premises. The protest(s) must be filed with the Alcoholic Beverage Control Commissioner at the 3rd Floor, Carvel State Office Building, 820 North French Street, Wilmington, DE 19801. The protest(s) must be received by the Commissioner's office on or before March 28, 2019. Failure to file such a protest may result in the Commissioner considering the application without further notice, input, or hearing. If you have questions regarding this matter please contact the Commissioner's Office.
np 3/1,8,15 2836029

CITY OF NEWARK DELAWARE PUBLIC HEARING NOTICE
March 25, 2019 – 7:00 P.M.
Pursuant to Chapter 27-21(b)(2)(e) of the City of Newark Subdivision and Development Regulations, notice is hereby given of a Public Hearing in the Council Chamber, Newark Municipal Building, 220 South Main Street, on Monday, March 25, 2019, at 7:00 p.m., at which time the Council will consider the request of The Kercher Group, Inc. on behalf of Columbia Pacific Real Estate Fund III, LP for the major subdivision of 6.95+/- acres located at 924 Barksdale Road, to construct a 115-suite/137-bed Assisted Living and Memory Care Facility.
ZONING CLASSIFICATION – BB (Central Business District).
Renee K. Bensley, CMC
City Secretary
np 3/8 2837729

SHERIFF'S SALE REAL ESTATE
PUBLIC SALE AT THE CITY/COUNTY BUILDING, 800 N. FRENCH STREET, WILMINGTON, DE 19801
WILL BE HELD TUESDAY, MARCH 12, 2019 AT 10:00 AM.
*****CASH DEPOSITS ARE NO LONGER ACCEPTED*****
IN ORDER TO PURCHASE A SHERIFF SALE PROPERTY, ALL BIDDERS MUST REGISTER WITH THE SHERIFF'S OFFICE AT 8:30AM ON THE DAY OF SALE* YOU MUST HAVE A VALID STATE ISSUED ID, A \$5,000 CASHIER CHECK PAYABLE TO SHERIFF OF NCC AND A PERSONAL CHECKBOOK (NO STARTER CHECKS) TO PAY THE BALANCE OF SALE DEPOSIT*****
*****TERMS OF SALE - MORTGAGE FORECLOSURES: 10% DOWN AT TIME OF SALE, BALANCE DUE ON OR BEFORE APRIL 15, 2019.**
TAX SALES: FULL PURCHASE PRICE DUE AT TIME OF SALE. PROPERTIES MARKED WITH AN ASTERISK ("**") REQUIRE BIDDER PREQUALIFICATION AND ARE SUBJECT TO PLANTIFF'S APPROVAL. FOR MORE INFORMATION ON PARTICULAR PROPERTIES: www.nccde.org/sheriff and www.nccde.org/parcelview**
For property title information, see the Recorder of Deeds website at www.nccde.org/deeds
SCOTT T. PHILLIPS, SHERIFF www.nccde.org/sheriff

ADDRESS: 6 ST THOMAS COURT WILMINGTON 19808
PARCEL: 0804340419
SHERIFF #19-000177

ADDRESS: 41 BOBBY DRIVE NEWARK 19713
PARCEL: 1100630127
SHERIFF #19-000186

ADDRESS: 221 S. DILLWYN ROAD NEWARK 19711
PARCEL: 0901630109
SHERIFF #19-000188

ADDRESS: 810 BIRCHWOOD DRIVE NEWARK 19713
PARCEL: 0902330304
SHERIFF #19-000202

ADDRESS: 409 DOUGLAS D ALLEY DRIVE NEWARK 19713
PARCEL: 1804700033
SHERIFF #19-000206

ADDRESS: 609 VALLEY RUN BEAR 19701
PARCEL: 1102720133
SHERIFF #19-000247

ADDRESS: 3817 FRANCES DRIVE WILMINGTON 19808
PARCEL: 0803820379
SHERIFF #19-000249

ADDRESS: 17 KELLER ROAD NEWARK 19713
PARCEL: 1100610167
SHERIFF #19-000250

ADDRESS: 41 NORWEGIAN WOODS DRIVE NEWARK 19702
PARCEL: 0903430332
SHERIFF #19-000261

ADDRESS: 26 JONATHAN DRIVE NEWARK 19702
PARCEL: 0903440127
SHERIFF #19-000267

ADDRESS: 407 SUWANNEE COURT BEAR 19701
PARCEL: 1103430028
SHERIFF #19-000268

ADDRESS: 249 SMALLEYS DAMN ROAD NEWARK 19702
PARCEL: 1003300045
SHERIFF #19-000380

ADDRESS: 35 AUTUMNWOOD DRIVE NEWARK 19711
PARCEL: 0801100028
SHERIFF #19-000386

ADDRESS: 805 BRENNEN DRIVE NEWARK 19713
PARCEL: 0902210097
SHERIFF #19-000518

ADDRESS: 6 DONEGAL COURT NEWARK 19702
PARCEL: 1101640103
SHERIFF #19-000526

ADDRESS: 16 BELLWOODE DRIVE NEWARK 19702
PARCEL: 1102710010
SHERIFF #19-000529

ADDRESS: 23 EASTWIND COURT NEWARK 19713
PARCEL: 0903310237
SHERIFF #19-000670

ADDRESS: 104 LAUREL AVENUE NEWARK 19711
PARCEL: 0805430083
SHERIFF #19-000671

ADDRESS: 5 S. FAWN DRIVE NEWARK 19711
PARCEL: 1802300011
SHERIFF #19-000699

ADDRESS: 222 SPRINGWOOD DRIVE BEAR 19701
PARCEL: 1103210087
SHERIFF #19-000705

ADDRESS: 3 MANETTE DRIVE WILMINGTON 19804
PARCEL: 0805020017
SHERIFF #19-000715

ADDRESS: 407 WOODMILL COURT NEWARK 19702
PARCEL: 0903830019
SHERIFF #19-000719

ADDRESS: 17 WICKLOW ROAD BEAR 19701
PARCEL: 1104640169
SHERIFF #19-000720

ADDRESS: 310 THAYER COURT NEWARK 19702
PARCEL: 1102330072
SHERIFF #19-000722

ADDRESS: *162 GREGG DRIVE WILMINGTON 19808
PARCEL: 0803020054
SHERIFF #19-000911

ADDRESS: 212 SARAH COURT NEWARK 19702
PARCEL: 0903640077
SHERIFF #19-000964

ADDRESS: 19 SONNET DRIVE NEWARK 19702
PARCEL: 1103500065
SHERIFF #19-000978

ADDRESS: 4612 BAILEY DRIVE WILMINGTON 19808
PARCEL: 0804410045
SHERIFF #19-001045

ADDRESS: 446 SHAI CIRCLE BEAR 19701
PARCEL: 1103210167
SHERIFF #19-001072

ADDRESS: 35 EDGEBROOKE WAY NEWARK 19702
PARCEL: 0903010019
SHERIFF #19-001073

ADDRESS: 15 OROURKE COURT NEWARK 19702
PARCEL: 0903810389
SHERIFF #19-001094

ADDRESS: 155 CYPRESS DRIVE NEWARK 19713
PARCEL: 0902840124
SHERIFF #19-001177

ADDRESS: 84 DASHER AVENUE BEAR 19701
PARCEL: 1003320149
SHERIFF #19-001187

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Apartments Unfurnished
Equal Housing

All Real Estate advertised herein is subject to the Federal Fair Housing Act which makes it illegal to indicate any preference, limitation, or discrimination based on sex, handicap, familial status, or national origin or an intention to make any such preference, limitation, or discrimination. We will not knowingly accept any advertising for Real Estate which is in violation of the law. All persons, are hereby informed that all dwellings advertised are available on an equal opportunity basis. If you believe you have been discriminated against in connection with the sale, rental, or financing of housing, call the United States Department of Housing and Urban Development at 1-800-669-9777.



North East: 1BR 1BA
All appliances, heat, water, sewer, and trash included.
No pets/smoking. \$750/mo
443-350-3751

Apartment Furnished
GREEN ACRES MOTEL
 Extended Stay, Rooms, Efficiency apartments. Discounted weekly rates. Elkton/North East area. 443-553-1040, 410-287-0121

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Houses for Rent
Newark- 5BR, 4BA Home
 Finished Basement, 3 season Porch and Deck, 2 Car Garage, Gas, Heat, and Central Air \$2350/mo+ security deposit. 302-545-3291

Commercial Rentals
Cecil Co. Industrial;
 Warehouse; Outside Storage Space. 443-553-1517

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Houses for Sale
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Out of the Attic

South College Avenue pedestrian walkway – 1992



This week's Out of the Attic item is a 1992 Newark Weekly photo of a student studying in the old pedestrian walkway across South College Avenue.

The caption identifies the student as history major Liz Lucey, then a senior at the University of Delaware.

The pedestrian walkway connected Smith Hall with The Mall (now called The Green). The old structure was replaced by the current pedestrian walkway when Gore Hall was built in 1998.

Out of the Attic is produced in partnership with the Newark Historical Society. For more info, visit www.newarkdehistoricalsociety.org. Do you have an old photo to share with Newark Post readers? Contact editor Josh Shannon at 443-907-8437 or jshannon@newarkpostonline.com.

HOTEL

From Page 1

restaurant, 19,500 square feet of office space and a parking garage at 96 E. Main St., across from the Academy Street intersection.

Lang would combine two properties, demolishing the former Abbott's Shoe Repair building and incorporating the facade of the historic Green Mansion, which is protected under the city's historic preservation law, into the new building.

The first three levels of the building would include the restaurant, hotel lobby and commercial office space in the front and parking in the back. Meanwhile, the top four floors would contain the hotel rooms.

Part of the fourth floor would also include a deck with a pool and a patio.

Chris Locke, general counsel and senior vice president of Lang Development, said the hotel will be operated as a Hyatt Place, a hotel brand that will appeal to visitors to the University of Delaware as well as corporate clients. The visitors it will bring into town will be a boon for downtown restaurants and retail shops, he said.

"You can't overstate the

value of having a downtown hotel," Locke said.

Though Newark already has nine hotels, with a 10th planned for the UD's STAR Campus, Jeff Lang said his company's research shows there is still room in the market for another.

"We feel it's a great site for a hotel. It's been confirmed by our feasibility study and by Hyatt," Lang said.

Complicating the project is the hotel's impact on the city's pay-to-park Lot 3, which is made up of several privately owned parcels leased to the city for use as public parking.

If the project is approved, Lang will end the city's lease on the company's portion of Lot 3 and use the land for the hotel project. That would split the city's lot into two pieces and remove 73 spaces, more than a quarter of the lot.

The hotel project includes a 244-space parking garage, which will be privately managed and used for hotel guests and employees of the office tenants.

However, Lang and Locke pledged that excess parking would be made available to the public. They said there would be at least 36 spaces available to the public at all times, and often more than 80 available, depending on the occupancy of the hotel.

The parking would cost \$2 per hour, double the cost of the city's lots, and members of the public would pay at meters or through a smartphone app.

Tuesday's meeting drew a packed room. Opponents of the project appeared to outnumber supporters, and several burst into applause every time someone criticized the project.

Many of the critics voiced concern about the size of



SUBMITTED IMAGE

An artist's rendering shows the back of the seven-story hotel Lang Development Group is proposing for 96 E. Main St.

the project, which would be the tallest building on Main Street.

"Why does this hotel have to be so huge, so in-your-face huge?" asked Sharon Hughes, a Stafford resident running for city council.

Catherine Johnston, a resident of the Cherry Hill neighborhood, said approving the hotel would open the door for other large projects.

"I'm not asking for us to stay the same. I know progress," Johnston said. "However, this is out of character for the city of Newark."

Sheila Smith, of Old Newark, questioned the logic of building a hotel downtown.

"Do we really have a need for such a large project?" she said. "This hotel seems like something brought out of nowhere to accommodate someone else's needs."

Sheila Anderson, of Oaklands, said the project is out of proportion with the rest of Main Street.

"Do you want to give waivers and special permits that would allow this gigantic building to dominate our small town that has a lot of history?" Anderson asked.

Sasha Aber, owner of Home Grown Café, supported the project, saying it would bring customers into town and add diversity to the

businesses on Main Street. "It's restaurant after restaurant," Aber said. "Retail is falling away, and we need a change."

Joe Bucksner, of Oaklands, said it would be nice to have a hotel within walking distance to downtown businesses and said he believes it would add to the vibrancy of Main Street.

"I think the roots in Newark will not be affected by the hotel. The community here is great. It would take more than a hotel to break down what has already been developed," Bucksner said.

Responding to the criticism, Lang said the company could have proposed a typical mixed-use building with retail on the first floor and 70 to 100 student apartments above it.

"We're doing something different that we think will be a benefit to the community. It's amazing to hear all the people that are unhappy with it," Lang said. "You've got to remember we do live in a world of private property rights. I'm more than happy for the city to come in and buy some property, or someone else to buy some property and do something different."

He added that the front portion of the building is

only three stories, so the structure won't look as imposing from the street as, for instance, the Washington House does.

"Even though the building is tall, it's not straight up tall," he said.

In order for the project to be built, Lang needs city council to approve a special-use permit to operate a hotel, as well as minor relief from code requirements for building height, setback and the number of required loading docks. At 82.2 feet tall, the hotel is approximately 3 feet taller than is allowed.

The planning commission was split on those requests, with commissioners Frank McIntosh, Alan Silverman and Tom Wampler in favor and Will Hurd, Stacy McNatt and Bob Stozek opposed. Bob Cronin was absent.

Now, Lang will have to decide whether to ask council to approve the project as is or make changes in an attempt to assuage concerns before bringing it to council.

The planning commission did, by a 4-2 vote, approve a parking waiver to allow Lang's parking garage to include 40 spaces that are slightly smaller than required by code. Parking waivers do not require council approval.

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